IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.427 OF 2004
IN
WRIT PETITION NO.810 OF 2002

1.M/s.Gammon India Ltd. & Anr....Petitioners
Versus
Mr.Ian Healy.....Respondent

Ms.Meena H. Doshi, for the Petitioner.
None for the Respondent.

CORAM: F.I. REBELLO, J.
DATE : 15th October,2004

P.C.:

1. The petitioners seek to set aside the order dated 13th August, 2004. The petitioners were heard on that challenge as also considering that this was a petition in respect of demand by workman for computation of benefits in terms of settlement Counsel was also heard on merits.

2. I find no reason to interfere with the order dated 13th August, 2004. It cannot be said that there is any illegality in the said order.

3. Apart from that before the Tribunal the dispute between the parties was as to the computation. No oral evidence was led by both the parties who submitted a purshis to that effect. The case of the workman was that apart from what he was entitled to under the conditions of service he was entitled to the benefits of the settlement/award. The contention of the petitioner company was that he was only entitled to in terms of the Award. Both the parties filed their computation. The learned Court on considering the material held that the defence taken by the petitioner company that the amount was paid had not been established and considering the computation by the workmen allowed the said benefits. These are purely findings of fact. No cause for

interference. Motion dismissed.

(F.I.REBELLO, J.)